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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,639	05/09/2002	Luigi Naldini	131.3-US-WO	6785

22462 7590 05/25/2005

GATES & COOPER LLP  
HOWARD HUGHES CENTER  
6701 CENTER DRIVE WEST, SUITE 1050  
LOS ANGELES, CA 90045

EXAMINER
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GUZO, DAVID

ART UNIT	PAPER NUMBER
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1636

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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2

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

- SEE ATTACHMENT -

**Attachment**

The reply filed 3/14/05 is not fully responsive to the Office communication mailed 12/15/04 for the reason(s) set forth below or on the attached Notice To Comply With The Sequence Rules or Raw Sequence Listing Error Report.


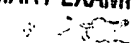
Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Guzo, Ph.D., whose telephone number is (571) 272-0767. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Irem Yucel, Ph.D., can be reached on (571) 272-0781. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Guzo  
May 18, 2005

  
DAVID GUZO  
PRIMARY EXAMINER  


Application No. 10/031639

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7.

Other: \_\_\_\_\_

**Applicant must provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123

For CRF submission help, call (703) 308-4212

For PatentIn software help, call (703) 557-0400

## **STIC Biotechnology Systems Branch**

### **RAW SEQUENCE LISTING** **ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/031,639A  
Source: TFW16  
Date Processed by STIC: 3-19-05

**THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.**

**PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:**

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,**
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY**

**FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221**

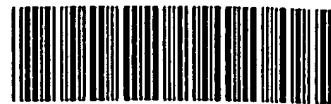
**TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.2.2 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:**

**<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>**

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

- 1. EFS-Bio (<<http://www.uspto.gov/ebs/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)**
- 2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**
- 3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314**

Revised 01/24/05



IFW16

## RAW SEQUENCE LISTING

DATE: 03/19/2005

PATENT APPLICATION: US/10/031,639A

TIME: 10:33:53

Input Set : A:\SEQLIST.txt

Output Set: N:\CRF4\03192005\J031639A.raw

4 <110> APPLICANT: CELL GENESYS, INC.  
 6 <120> TITLE OF INVENTION: METHODS AND MEANS FOR PRODUCING HIGH  
 7 TITER, SAFE, RECOMBINANT LENTIVIRUS VECTORS  
 10 <130> FILE REFERENCE: G&C 131.3USWO  
 C--> 12 <140> CURRENT APPLICATION NUMBER: US/10/031,639A  
 C--> 12 <141> CURRENT FILING DATE: 2002-05-09  
 12 <150> PRIOR APPLICATION NUMBER: 10/031,639  
 13 <151> PRIOR FILING DATE: 2001-10-29  
 15 <160> NUMBER OF SEQ ID NOS: 52  
 17 <170> SOFTWARE: FastSEQ for Windows Version 4.0

## ERRORED SEQUENCES

584 <210> SEQ ID NO: 52  
 585 <211> LENGTH: 21  
 586 <212> TYPE: DNA  
 587 <213> ORGANISM: Artificial Sequence  
 589 <220> FEATURE:  
 590 <223> OTHER INFORMATION: linker  
 592 <400> SEQUENCE: 52  
 593 gatcaagcct actcgaccg g  
 E--> 606 1

Does Not Comply  
 Corrected Diskette Needed  
 (pg. 12)

21

E--&gt; 606 1

P/S delete

10/031/639A

Page 2

<210> 31  
<211> 10  
<212> DNA  
<213> Artificial sequence  
~~<214> 31~~  
~~ggccattgac~~  
<400> 31  
ggccattgac

Insert

pls explain  
Source of genetic  
material. See  
error explanation  
on page 3.

10

RAW SEQUENCE LISTING ERROR SUMMARY  
PATENT APPLICATION: US/10/031,639A

DATE: 03/19/2005  
TIME: 10:33:54

Input Set : A:\SEQLIST.txt

Output Set: N:\CRF4\03192005\J031639A\raw

Use of <220> Feature (NEW RULES):

Sequence(s) are missing the <220> Feature and associated headings.

Use of <220> to <223> is MANDATORY if <213> ORGANISM is "Artificial Sequence" or "Unknown". Please explain source of genetic material in <220> to <223> section. (See "Federal Register," 6/01/98, Vol. 63, No. 104, pp.29631-32) (Sec.1.823 of new Rules)

*ERROR EXPLANATION: ✓*

Seq#:31



## VERIFICATION SUMMARY

DATE: 03/19/2005

PATENT APPLICATION: US/10/031,639A

TIME: 10:33:54

Input Set : A:\SEQLIST.txt

Output Set: N:\CRF4\03192005\J031639A.raw

L:12 M:270 C: Current Application Number differs, Replaced Current Application No  
L:12 M:271 C: Current Filing Date differs, Replaced Current Filing Date  
L:358 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:31  
L:360 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ#:31, <213>  
ORGANISM:Artificial Sequence  
L:360 M:258 W: Mandatory Feature missing, <223> Tag not found for SEQ#:31, <213>  
ORGANISM:Artificial Sequence  
L:360 M:258 W: Mandatory Feature missing, <223> Blank for SEQ#:31,Line#:360  
L:605 M:254 E: No. of Bases conflict, this line has no nucleotides.